



PATENT
ATTORNEY DOCKET NO. 00786/381002

Certificate of Mailing: Date of Deposit: September 13, 2001

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Susan M. Barry

Printed name of person mailing correspondence

Susan M. Barry

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark C. Fishman

Art Unit: 1645

Serial No.: 09/759,508

Examiner: Not yet assigned

Filed: January 12, 2001

Customer No.: 21559

Title: Methods for Diagnosing and Treating Heart Disease

Assistant Commissioner for Patents
Washington, D.C. 20231

REPLY TO NOTICE OF INCOMPLETE REPLY (NON-PROVISIONAL)

In reply to the Notice of Incomplete Reply (Non-provisional) that was mailed in connection with the above-captioned application on July 16, 2001, as well as the Notice to File Missing Parts of Application that was mailed on March 15, 2001, applicant submits:

- A substitute paper copy of the Sequence Listing;
- A substitute copy of the Sequence Listing in computer readable form; and
- A Statement that the contents of the paper and computer readable copies of the

Sequence Listing are the same and contain no new matter.

If there are any charges or any credits, please apply them to Deposit Account No.
03-2095.

Respectfully submitted,

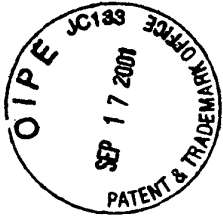
Date: September 12, 2001 Susan M. Michaud
Susan M. Michaud, Ph.D.
Reg. No. 42,885

Clark & Elbing LLP
176 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



21559
PATENT, TRADEMARK OFFICE

00786.381002 Reply to Notice of Incomplete Application.wpd



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PATENT
ATTORNEY DOCKET NO. 00786/381002

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| <u>Susan M. Barry</u> Printed name of person mailing correspondence | <u><i>Susan M. Barry</i></u> Signature of person mailing correspondence |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|---|---------------|------------------|
| Applicant: | Mark C. Fishman | Art Unit: | 1645 |
| Serial No.: | 09/759,508 | Examiner: | Not yet assigned |
| Filed: | January 12, 2001 | Customer No.: | 21559 |
| Title: | Methods for Diagnosing and Treating Heart Disease | | |

Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. § 1.825

In reply to the Notice of Incomplete Reply (Non-Provisional) that was mailed in connection with the above-captioned application on July 16, 2001, as well as the Notice to File Missing Parts of application that was mailed on March 15, 2001, and as required by 37 C.F.R. § 1.825(a), enclosed is an amended Sequence Listing consisting of 250 sheets to be inserted at the end of the application, in place of the Sequence Listing that was filed in this case on May 15, 2001.

As required by 37 C.F.R. § 1.825(b), enclosed is a diskette containing a copy of the Sequence Listing in computer readable form, including all previously submitted data

with the amendments incorporated therein. The contents of the enclosed computer readable form of the Sequence Listing are the same as the contents of the enclosed paper copy.

No new matter is added to the application by the submission of the paper copy of the Sequence Listing and the diskette.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: September 12, 2001

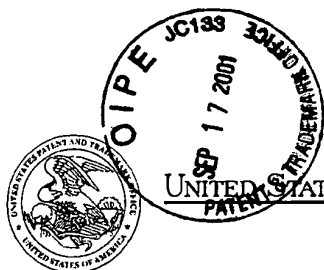
Susan M. Michaud
Susan M. Michaud, Ph.D.
Reg. No. 42,885

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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/759,508 | 01/12/2001 | Mark C. Fishman | 00786/381002 |

CONFIRMATION NO. 2459

FORMALITIES LETTER



OC000000006297032

Karen L. Elbing, Ph.D.
Clark & Elbing LLP
176 Federal Street
Boston, MA 02110

Date Mailed: 07/16/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, doesnot include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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